

EXHIBIT 14

11/20/2015

Pond5 Mail - Pond5 - Follow-up



Tom Crary <tomcrary@pond5.com>

Pond5 - Follow-up

7 messages

Tom Crary <tomcrary@pond5.com>
To: gordon@soundtracker.com

Fri, Oct 16, 2015 at 2:59 PM

Gordon -

Thanks for your note that was just forwarded to me from our CS team. On behalf of Pond5, I do extend my sincere apologies and regrets for the situation at hand, but please know that we will do everything possible to come to amicable settlement. As a show of good faith, I'll respond to your questions as fully and transparently as possible:

1.) ckennedy342 username - you were the first one to tip us off that the user was potential using illegitimate content. Unfortunately our fraud prevention measures are not fool proof, especially on very short audio tracks such as the short "sound effects" that ckennedy stole from your content. Once alerted, we immediately blocked the user and removed all content. We've subsequently done an internal investigation (using IP addresses, cookie matches, and other means) and we believe with high confidence that your files were only associated with this one username ckennedy342 (happy to walk you through the steps we took separately). We ultimately traced the username ckennedy342 to an IP address in Pakistan but have not found any more details of the fraudulent user's true identity.

2.) How much of your content was downloaded - ckennedy was a user on our site for approximately 10 months and during that time, total net revenue (across all content types) associated with the fraudulent account was \$4,063. Your content (which is absolutely amazing by the way), was actually only a small portion of ckennedy's fraudulent "portfolio". Of the \$4,063 in downloads, it is hard to know exactly how much of your stolen content was downloaded vs. content that was potentially stolen from other artists. We performed a sampling exercise of all downloads of ckennedy's content and narrowed down based around "nature" themes, we believe that approximately 5-10% of the downloaded content associated with the ckennedy username could have been or likely was originally yours.

3.) Who downloaded the content - Again, it's very hard to know exactly at this point as we'll first need to verify which clips that were downloaded originate from your content. Based on our initial sampling, however, we estimate that your content was sold to +/- 30 customers as very short clips of 3 - 10 seconds in length at an average price of \$10-\$15 per download.

Next steps:

As I acknowledged in my call, we are deeply sorry this happened. Hopefully you know our reputation in the industry with both artists and our customers has been built by being 100% "artist friendly" so we take these matters very seriously. I also know that you spent money with your lawyers to file your claim and I'm sorry for that. The reason for the direct communication rather than having our lawyer talk to your lawyer is to avoid further cost escalation if at all possible on both sides.

Our offer:

Since we don't know exactly how much of ckennedy's revenue was earned off of your content, I'm happy offer you 100% of the revenue associated with ckennedy342 username, which as noted above was \$4,063. Additionally in the interest of fostering any remaining goodwill possible, I'll offer you an additional \$2,500, for a total cash settlement of \$6,563. The one condition attached to this offer is that we would need you to release any potential claims that you may have against our customers related to this breach. Effectively we would need you to allow the license associated with the downloaded content to remain valid in the market without challenge. Hopefully you understand that our reputation in the market among both buyers and sellers of media is our single largest asset and protecting this reputation to media makers such as yourself and our customers is the main reason we are able to offer 10X-15X the value of the revenue. While I'm sure this isn't ideal, hopefully you agree

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we are putting our best foot forward to make the best of a bad situation.

Separately and unrelated to our offer above, our Music & Sound Effects team are great admirers of your work and would be honored to have your award winning content sold legitimately on Pond5. With proper marketing and at a fair price point, we believe this could lead to significant income stream. We could also offer you an "artist spotlight" or "artist of the month" marketing campaign, which we have found greatly increases sales potential in both the short and long term. We are happy to discuss other potential ideas we have as well.

Please let me know your thoughts? If your amenable to a settlement along the lines of what I offered, I can have our lawyer draft up a very brief letter agreement, which of course your lawyer can review.

I'm available anytime if you have questions or would like to discuss. My cell is [781-704-8341](tel:781-704-8341).

Best regards,
Tom

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Tom Crary

VP of Finance

mobile: [781-704-8341](tel:781-704-8341)

skype: thomascrary

email: tomcrary@pond5.com



Gordon Hempton

Oct 13, 4:05 PM

Dear Tom:

Thank you for your call yesterday. I appreciate your acknowledgments and am receptive to early resolution if we can come to a mutual agreement.

At this point, I am most concerned regarding the status of my copyrighted files outside of my control. Can you give a complete accounting of which of my files were downloaded, who downloaded them, when they were downloaded, and any information you have about the download (IP addresses, identities, email addresses, physical addresses, etc.)? Essentially, I want to know everything you have in your system regarding the downloaded files.

I also would like to know everything you know about any user that uploaded my work. Who is ckennedy342 and where does he/she/it live? Are there other users that have uploaded my work onto the Pond5 system?

Yours truly